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Docket No.: 9668-C2-03-DCL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dennis G. A. Nelson

Examiner: Ralph Gitomer

Serial No.: 10/630,526

Group Art Unit: 1651

Filed: 07/30/2003

Date: June 14, 2005

For: Compositions Comprising A Potassium Salt Active Ingredient, Including Oral Compositions for Reducing Dental Nerve and Dentin Sensitivity Comprising A Non-Menthol Flavoring

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Restriction Requirement

In response to the Office Action dated May 19, 2005 requiring restriction, please consider the following remarks.

Remarks

Claims 21-36 are pending.

Claims 21-36 are subject to a restriction requirement.

Restriction Requirement

The Examiner has required restriction under 35 USC 121 to one of the following "inventions" identified as follows:

I - Claims 21-31, drawn to an oral composition, classified in class 424, subclass 49.

II - Claim 32-36, drawn a method of cleaning teeth, classified in class 433, subclass 216.

The Examiner notes that inventions I and II are related as product and process of use. However, the Examiner contends that restriction is required and proper since the product of invention I, as claimed, "can be used in a materially different process of use..." and the process of invention II "can be practiced with another materially different product...".

Applicant respectfully traverses this restriction requirement.

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. SECTION 1.8

I hereby certify that this correspondence and any documents referred to as enclosed are being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Alexandria, VA 22313-1450 on this 14 day of June, 2005.

By: Lisa Peters  
Lisa Peters